

HOUSE BILL No. 1287

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-21-13.

Synopsis: Display of political signs on certain properties. Amends as follows the statute governing the display of political signs on property subject to restrictive covenants or homeowners association rules: (1) Expands the scope of the statute to include additional communities. (2) Replaces the term "homeowners association" with the term "community association" and makes similar conforming changes to the statute's terminology. (3) Extends the beginning of the period within which a community association may not prohibit a community member from displaying a political sign on the community member's property from 30 days to 60 days before the date of the election to which the sign relates. (4) Removes the provision that authorizes a community association to adopt and enforce rules restricting the number of political signs that may be displayed on a community member's property. (5) Prohibits a community association from restricting the number of political signs that a community member may display on the community member's property, subject to specified exceptions. (6) Removes an exemption for gated communities from the statute's prohibition against community association rules or covenants that prohibit candidates or elected officials (or their spouses or volunteers) from entering onto community association property to conduct political activity. (7) Provides that a member of a homeowners association who is aggrieved by an alleged violation of the statute by a homeowners association may assert a claim against the homeowners association or its board under the grievance resolution procedures set forth in the statute governing homeowners associations. (8) Provides that: (A) a community member; or (B) a candidate or an elected official; who is
(Continued next page)

Effective: July 1, 2025.

Cash

January 13, 2025, read first time and referred to Committee on Judiciary.



Digest Continued

aggrieved by an alleged violation of the statute may seek any remedy available to the person under applicable law, including an action for damages or injunctive relief in a court with jurisdiction.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1287



A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 32-21-13-1.2 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2025]: **Sec. 1.2. As used in this chapter,**
- 4 **"board" refers to the board of directors or other governing body**
- 5 **of a community association.**
- 6 SECTION 2. IC 32-21-13-1.3 IS ADDED TO THE INDIANA
- 7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 8 [EFFECTIVE JULY 1, 2025]: **Sec. 1.3. (a) As used in this section**
- 9 **"community" means a:**
- 10 **(1) subdivision;**
- 11 **(2) neighborhood;**
- 12 **(3) condominium community;**
- 13 **(4) senior living community; or**
- 14 **(5) similar residential community.**
- 15 **(b) The term does not include a multi-unit apartment complex.**



1 SECTION 3. IC 32-21-13-1.4 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2025]: **Sec. 1.4. (a) As used in this chapter,**
 4 **"community association" means an entity, however organized,**
 5 **that:**

6 (1) is organized and operated exclusively for the benefit of
 7 community members;

8 (2) acts, in accordance with the articles, bylaws, declarations,
 9 or other documents governing the entity, to:

10 (A) acquire, transfer, manage, repair, maintain, or engage
 11 in construction on or in the land and improvements on the
 12 land related to the use of the dwellings in the community;

13 (B) purchase insurance to cover a casualty or an activity
 14 on or in the land and improvements on the land;

15 (C) engage in an activity incidental to an activity described
 16 in clause (A) or (B); or

17 (D) engage in more than one (1) of the activities described
 18 in clauses (A) through (C); and

19 (3) may be governed by a board that serves the purpose of
 20 setting policy and controlling or otherwise overseeing the
 21 activities or functional responsibilities of the entity.

22 (b) The term includes the following:

23 (1) An association of co-owners (as defined in IC 32-25-2-2)
 24 for a condominium community.

25 (2) A homeowners association (as defined in IC 32-25.5-2-4).

26 SECTION 4. IC 32-21-13-1.5 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2025]: **Sec. 1.5. As used in this chapter,**
 29 **"community member" means one (1) or more individuals who own**
 30 **or occupy as a common household a dwelling in a community.**

31 SECTION 5. IC 32-21-13-2, AS ADDED BY P.L.5-2010,
 32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2025]: **Sec. 2. As used in this chapter, "rules" refers to any of**
 34 **the following:**

35 (1) A restrictive covenant.

36 (2) A homeowners association rule.

37 (3) The governing documents (as defined in IC 32-25.5-2-3) of
 38 a homeowners association.

39 (4) The bylaws for a condominium community.

40 (5) Other rules governing restrictions on or requirements
 41 concerning:

42 (A) the use and maintenance of individual dwelling units



1 **within a community; or**

2 **(B) the use and maintenance of common areas and**
 3 **facilities within a community.**

4 SECTION 6. IC 32-21-13-4, AS ADDED BY P.L.5-2010,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2025]: Sec. 4. Except as provided in section 5 of this chapter,
 7 a ~~homeowners~~ **community** association may not adopt or enforce a rule
 8 that prohibits a **community** member of the ~~homeowners~~ association
 9 from displaying a sign on the **community** member's property during
 10 the period:

11 (1) beginning ~~thirty (30)~~ **sixty (60)** days before; and

12 (2) ending five (5) days after;

13 the date of the election to which the sign relates.

14 SECTION 7. IC 32-21-13-5, AS ADDED BY P.L.5-2010,
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2025]: Sec. 5. **(a)** A ~~homeowners~~ **community** association may
 17 adopt and enforce rules relating to a sign described in section 3 of this
 18 chapter if the rules do any of the following:

19 (1) Restrict the size of a sign if the rule permits a ~~homeowner~~
 20 **community member** to display a sign that is at least as large as
 21 signs commonly displayed during election campaigns.

22 ~~(2) Restrict the number of signs that may be displayed if the rule~~
 23 ~~permits a homeowner to display a reasonable number of signs.~~

24 ~~(3)~~ **(2)** Restrict the locations where a sign may be displayed.
 25 However, a restriction under this subdivision may not prohibit the
 26 display of a sign:

27 (A) in a window on the ~~homeowner's~~ **community member's**
 28 property; or

29 (B) on the ground that is part of the ~~homeowner's~~ **community**
 30 **member's** property, **if applicable.**

31 **(b)** A **community** association may not restrict, by rule or
 32 otherwise, the number of signs described in section 3 of this
 33 chapter that a **community** member may display in a location
 34 described in subsection **(a)(2)(B)** unless the number of signs:

35 **(1) prevents or interferes with access to:**

36 **(A) the community member's property by emergency**
 37 **services personnel or the employees or agents of an entity**
 38 **that provides utility service to the public; or**

39 **(B) property not owned or occupied by the community**
 40 **member; or**

41 **(2) poses a threat to the health, welfare, or safety of others.**

42 SECTION 8. IC 32-21-13-6, AS ADDED BY P.L.5-2010,



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2025]: Sec. 6. A **homeowners community** association may
3 remove a sign that violates the rules permitted by this chapter.

4 SECTION 9. IC 32-21-13-7, AS AMENDED BY P.L.174-2015,
5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2025]: Sec. 7. ~~(a) This section does not apply to homeowners~~
7 ~~association property if:~~

8 ~~(1) access to the property from the outside is controlled by gates~~
9 ~~or other means; and~~

10 ~~(2) the common areas, including roads and sidewalks, are~~
11 ~~privately owned and maintained.~~

12 ~~(b) (a) As used in this section, "homeowners "community~~
13 ~~association property" refers to real property owned by any of the~~
14 ~~following:~~

15 ~~(1) A **community** member. of the homeowners association.~~

16 ~~(2) The **homeowners community** association.~~

17 ~~(3) The members of the **homeowners community** association in~~
18 ~~common.~~

19 ~~(c) (b) A **homeowners community** association may not adopt or~~
20 ~~enforce a rule or covenant that prohibits, or has the effect of~~
21 ~~prohibiting:~~

22 ~~(1) a candidate;~~

23 ~~(2) an individual who holds an elected office;~~

24 ~~(3) the spouse of a candidate or individual who holds an elected~~
25 ~~office; or~~

26 ~~(4) a volunteer worker of a candidate or individual who holds an~~
27 ~~elected office;~~

28 ~~from entering onto **homeowners community** association property for~~
29 ~~purposes of conducting political activity.~~

30 SECTION 10. IC 32-21-13-8 IS ADDED TO THE INDIANA
31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2025]: **Sec. 8. (a) A member of a homeowners**
33 **association who is aggrieved by an alleged violation of this chapter**
34 **by a homeowners association may, in addition to seeking any other**
35 **relief described in subsection (b), assert a claim against the**
36 **homeowners association or the homeowners association's board**
37 **under the grievance resolution procedures set forth in**
38 **IC 32-25.5-5.**

39 **(b) A person who is aggrieved by an alleged violation of this**
40 **chapter by a community association or the community**
41 **association's board, including:**

42 **(1) a community member; or**



1 **(2) a person described in section 7(b)(1) through 7(b)(4) of this**
2 **chapter;**
3 **may seek any remedy available to the person under applicable law,**
4 **including an action for damages or injunctive relief in a court with**
5 **jurisdiction.**

